

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Implementation of the Satellite Home )  
Home Viewer Improvement Act of 1999 )  
 )  
Broadcast Signal Carriage Issues )

CS Docket No. 00-96

To: The Commission

**MOTION OF THE ABC, CBS, FOX, AND NBC TELEVISION NETWORK  
AFFILIATES ASSOCIATIONS AND THE NATIONAL ASSOCIATION OF  
BROADCASTERS FOR EXTENSION OF TIME OF COMMENT AND REPLY  
COMMENT DEADLINES**

Pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, the ABC Television Network Affiliates Association, the CBS Television Network Affiliates Association, the Fox Television Affiliates Association, and the NBC Television Affiliates Association (collectively, the "Network Affiliates") and the National Association of Broadcasters ("NAB")<sup>1</sup> hereby request that the Commission extend the comment and reply comment deadlines in the above-captioned proceeding by 14 days each. The current deadline for comments in this proceeding is July 7, 2000, and the deadline for reply comments is July 28, 2000. As discussed below, the Network Affiliates and NAB believe there is good cause for the Commission to extend the comment and reply comment deadlines to July 21, 2000 and August 11, 2000 respectively. The requested extension will facilitate the Commission's full consideration of the issues presented in the above-captioned

<sup>1</sup> NAB is a nonprofit, incorporated association of television and radio stations and broadcast networks which serves and represents the American broadcast industry.

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proceeding by providing the Network Affiliates and NAB with sufficient time to prepare pleadings that give thorough treatment to the issues and to obtain the necessary Board concurrence to positions to be taken in comments and reply comments. At the same time, grant of the requested extensions will leave the Commission with ample time to consider the pleadings and adopt rules by the November 29, 2000 statutory deadline.

In this proceeding, the Commission will establish broadcast signal carriage rules for satellite carriers pursuant to the Satellite Home Viewer Improvement Act of 1999 (“SHVIA”).<sup>2</sup> The Network Affiliates and NAB and our respective memberships care deeply about the issues at stake in this proceeding. For several years now, we have participated actively as Congress and the Commission have deliberated over the retransmission of broadcast signals by satellite carriers. This participation was spurred by the tremendous impact that the use, and misuse, of broadcast signals by satellite carriers could have on the continued vitality of the over-the-air broadcast service. For these reasons, the Network Affiliates and NAB fought to prevent the unauthorized retransmission of distant network signals to households that receive acceptable over-the-air service from local network stations, and supported the initiation of “local-into-local” satellite service.

The Commission’s decisions in this proceeding are of critical importance to the broadcast industry. The signal carriage rules adopted by the Commission will be pivotal for the future health of the broadcast industry, including the new digital television service, and for the public that is served by it. The Network Affiliates and NAB respectfully submit that the requested extension of time is necessary to enhance the overall quality of the

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<sup>2</sup> Pub. Law 106-113, 113 Stat. 1501, Appendix I (1999).

comments and reply comments and thus provide a more complete record for the Commission's consideration.

There are four specific reasons why the modest extension of time requested herein will be necessary to enable the Network Affiliates, NAB and other interested parties to provide more substantive and complete comments and reply comments.

*First*, the current deadline for comments is just three business days before the deadline for reply comments in the Commission's proceeding regarding the technical standards for determining eligibility for satellite-delivered network signals pursuant to SHVIA (ET Docket No. 00-90, the "Grade B Proceeding"). Not surprisingly, the same parties that hold the greatest stake in the Grade B Proceeding also hold the greatest stake in the instant proceeding. Comments to the Grade B Proceeding were filed just yesterday and there are voluminous comments, including complicated technical material, that must be reviewed and analyzed in order to prepare useful reply comments within the Grade B Proceeding's short reply period. Because the preparation of comments in the Grade B Proceeding has taken significant time and effort over the past few weeks, and because substantial additional time and effort must be expended over the next two weeks to prepare appropriate reply comments, the current July 7 deadline for comments in this proceeding provides insufficient time to prepare comprehensive comments. For the same reasons, a one week extension of time would be insufficient, as it would make the deadline for comments only two days after the reply comment deadline in the Grade B Proceeding.

*Second*, NAB and the Network Affiliates must obtain the approval of their respective Boards of Directors before agreeing to and filing comments in this proceeding. In light of the complexity and importance of these issues to the broadcast industry and the

competing Commission proceedings that have required the Network Affiliates's and NAB's attention, it would be extremely difficult for our organizations to obtain the necessary Board approvals in time to prepare comprehensive comments and reply comments by the existing deadlines. Similarly, an extension of time will allow the Network Affiliates and NAB time to canvass their members and obtain a broader industry perspective on the questions posed in this proceeding, and to prepare more particularized proposals and positions that will be of more use to the Commission.


*Third*, the already severe time limitations and logistical difficulties referenced above are further exacerbated by the upcoming Fourth of July holiday weekend, and the associated vacation schedules of attorneys, Board members and others that are necessary to prepare the most appropriate and useful pleading for the Commission.

*Fourth*, the requested extension of time will benefit the public by ensuring that the decisions made regarding the provision of television service via satellite are based on the most complete record, reflecting the fullest exploration of the issues. At the same time, no party – including the Commission – will be prejudiced by an extension. The proposed extension will provide all parties with the opportunity to better develop their positions, and will leave the Commission with ample time to complete this proceeding before the November 29, 2000 deadline set forth in SHVIA. Indeed, if the Commission grants the requested extension, it will still have *almost sixteen weeks* to consider all of the pleadings and adopt final rules.

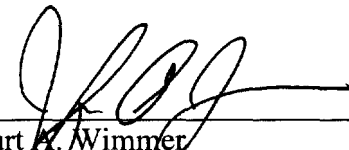
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For the foregoing reasons, the Network Affiliates and NAB respectfully request that the Commission extend the deadline for comments from July 7, 2000 to July 21, 2000, and extend the deadline for reply comments from July 28, 2000 to August 11, 2000.

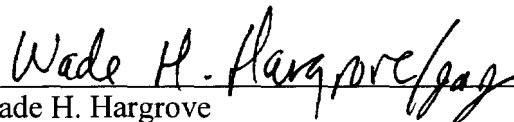
Respectfully submitted,

  
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